

Posted - December 2, 2004

REGULAR MEETING DECEMBER 6, 2004

TOWN COUNCIL OF THE TOWN OF MIDDLETOWN, RHODE ISLAND

The following items of business, having been filed with the Town Clerk under the Rules of the Council, will come before the Council at a regular meeting to be held on Monday, December 6, 2004 at 7:00 P.M. (EXECUTIVE SESSION - 6:00 P.M.) at the Middletown Town Hall, 350 East Main Road, Middletown, Rhode Island.

Any person not a member of the Council, desiring to address the Council concerning a matter on the docket of the Council, not the subject of a Public Hearing, shall submit a written request to the Town Clerk stating the matter upon which he desires to speak. Persons are permitted to address the Council for a period not to exceed five (5) minutes.

EXECUTIVE SESSION (6:00 P.M.)

Pursuant to the provisions of Sections 42-46-2., 42-46-4. and 42-46-5. (a) (2), RIGL, the Council will meet in executive session to consider, discuss and act upon matters related to collective bargaining (Town Hall) and litigation (Homer v. Town of Middletown/Fire Dept.)

CONSENT CALENDAR

1. Approval of Minutes - Regular Meeting, May 3, 2004

2. Approval of Minutes - Special Meeting, Nov. 22, 2004

33. Memorandum of Finance Director, with enclosures, re: Financial statements and Tax Collector's report for period ending October 31, 2004.

4. Memorandum of Finance Director, re: New rescue wagon.

5. Projects status report.

6. Communication of Victoria Johnson, Chair, and Josephine Brown, President, Newport County Branch, NAACP, re: Appreciation for Council support and contribution to annual NAACP Awards evening.

7. Memorandum of Frederick C. Williamson, Chair, State Historic Preservation Officer, re: St. George's School placed in the National Register of Historic Places.

8. Communications (2) of Gregory S. Angel, re: Plans for 5k roadrace in the Town and request concerning police detail compensation.

9. Application of Mohamed Mehdaoui, dba Provencal Bakery, 796 Aquidneck Avenue, for RENEWAL of Victualling House License for the 2004-2005 licensing year.

TOWN COUNCIL

- 1. Confirmation of Tim Shaw and Town Recreation Director.**
- 12. Application of Arnold Construction, Inc., No. Dighton, MA, for a Drain Layer's License for the 2004-2005 licensing year. (NEW)**
- 3. Application of Roy A. Ferrell, dba Quality Island Construction, Tiverton, RI, for a Drain Layer's License for the 2004-2005 licensing year. (NEW)**
- 4. Communication of Jerri Kim Evans, Middletown, with enclosure, re: Request that Middletown Recreation Complex be named in honor of SSG. Christopher Potts.**
- 5. Communication of Tina Dolen, Executive Director, Aquidneck Island Planning Commission, re: New Municipal Training Series, entitled Legal and Ethical Considerations in Land Use Planning.**
- 6. Communication of Colette Cunningham, M.D., 11 Murphy Circle, with enclosures, re: Chase Estates sewer project.**
- 7. Memorandum of Hedy M.S. Bennett, Chair, Middletown Planning Board, re: Advisory recommendation concerning proposed rezoning**

of Lots 89 & 90, TAP 107SE, Valley Road.

8. Continued Meeting of November 22, 2004

Public Hearing (Advertised; Abutters Notified)

An Ordinance of the Town of Middletown (First Reading)

An ordinance in amendment to the Town Code of the Town of Middletown, Chapter 152, Zoning Code, seeking to change the zoning classifications of Lots 89 & 90, TAP 107SE (Valley Road) from Traffic Sensitive High Density Residential (R-10A) to Traffic Sensitive Office Business (OBA).

9. Memorandum of Hedy M.S. Bennett, Chair, Middletown Planning Board, re: Proposed Comprehensive Community Plan Amendment - Valley Road, Plat 107SE, Lots 77, 78, 88, 89, 90, 91, 93. (Requires Advertising for Public Hearing)

10. Memorandum of Town Planner, with enclosures, re: Proposed Comprehensive Community Plan Amendment - Affordable Housing Plan. (Requires Advertising for Public Hearing.

11. Memorandum of Hedy M.S. Bennett, Chair, Middletown Planning Board, re: Planning Board adopted amendments to Subdivision Rules and Regulations. (Requires Council Approval)

12. Memorandum of Town Planner, with enclosure, re: 2004 DEM and CRMC Grants.

13. Memorandum of Town Administrator and Town Planner, re: FY 2006-2007 Transportation Improvement Program (TIP).

14. Report and Recommendations of Town Facilities Committee.

15. Memorandum of Town Administrator, re: West Main Road sidewalk.

16. Memorandum of Finance Director, re: Green End Avenue/Valley Road intersection engineering.

17. Resolution of the Council, re: Authorizing funding for Green End Avenue/Valley Road intersection engineering services from General Fund balance.

18. Memorandum of Finance Director, with enclosure, re: Proposed amendment to Town Code, Chapter 36, Fee Schedule, Section (46) Ambulance Billing Rates.

19. Memorandum of Finance Director, with enclosures, re: Summary of bids - Mobile Command Post.

20. Resolution of the Council, re: Award of contract for procurement

of Mobile Command Post.

21. Communication of Councillor Santos, re: Soccer and Little League fields.

22. Resignations: Barbara A. Barrow - Juvenile Hearing Bd.

Shirley R. Mello - Tax Assessment Review Bd.

Edward J. Silveira, Jr. - Zoning Bd. of Review

23. Communication of Lisa C. Ruth, Chair, Juvenile Hearing Bd., Abel G. Fernandes, Juvenile Detective, Anthony M. Pesare, Police Chief, re: Membership of Juvenile Hearing Board.

24. Appointment of one (1) member to Tax Assessment Review Board to complete a term expiring in October 2007. (Bi-Partisan Bd.)

25. Appointment of one (1) member to Zoning Board of Review to complete the term of Second Alternate expiring in April 2005.

26. Appointment of one (1) member to Personnel Board for a term expiring in December 2007.

27. Appointment of one (1) member to Open Space and Fields Committee for an indefinite term.

28. Review of Rules of the Council

29. Town Council Meetings for December 2005.

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PUBLIC FORUM SESSION

Pursuant to Rule 23 of the Rules of the Council, Citizens may address the Town Council on one (1) subject only, said subject of substantive Town business, neither discussed during the regular meeting nor related to personnel or job performance. Citizens may speak for no longer than five (5) minutes and must submit a public participation form to the Council Clerk prior to the start of the meeting.

Barbara L. Nash, CMC

Town Clerk

This meeting location is accessible to the handicapped. Individuals requiring interpreter services for the hearing impaired should notify the Town Clerk's Office not less than 48 hours before the meeting.